



General Assembly

February Session, 2018

***Raised Bill No. 5517***

LCO No. 2276



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

***AN ACT CONCERNING EXECUTIVE BRANCH DATA MANAGEMENT  
AND PROCESSES.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) As used in this section and  
2       sections 2 and 3 of this act:

3       (1) "Data" means final versions of statistical or factual information  
4       that: (A) Is reflected in a list, table, graph, chart or other non-narrative  
5       form that can be digitally or nondigitally transmitted or processed; (B)  
6       is regularly created or maintained by, or on behalf of, an executive  
7       branch agency; and (C) records a measurement, transaction or  
8       determination related to the mission of the agency or is provided to the  
9       agency by third parties pursuant to law.

10       (2) "Executive branch agency" includes any agency listed in section  
11       4-38c of the general statutes, except the Board of Regents for Higher  
12       Education.

13       (3) "High value data" means any data that (A) is critical to the

14 operation of an executive branch agency; (B) can increase executive  
 15 branch agency accountability and responsiveness; (C) can improve  
 16 public knowledge of the executive branch agency and its operations;  
 17 (D) can further the core mission of the executive branch agency; (E) can  
 18 create economic opportunity; (F) is frequently requested by the public;  
 19 (G) responds to a need and demand as identified by the agency  
 20 through public consultation; or (H) is used to satisfy any legislative or  
 21 other reporting requirements.

22 (4) "Open data" means any data that (A) is freely available in  
 23 convenient and modifiable format and can be retrieved, downloaded,  
 24 indexed and searched; (B) is formatted in a manner that allows for  
 25 automated machine processing; (C) does not have restrictions  
 26 governing use; (D) is published in primary forms, with the finest  
 27 possible level of detail that is practicable and permitted by law; and (E)  
 28 is described in enough detail so that consumers of the data have  
 29 sufficient information to understand the strengths, weaknesses,  
 30 analytical limitations and security requirements, and how to process  
 31 such data.

32 (5) "Public data" means any data that is collected by an executive  
 33 branch agency that is permitted to be made available to the public,  
 34 consistent with any and all applicable laws, rules, regulations,  
 35 ordinances, resolutions, policies or other restrictions, requirements or  
 36 rights associated with the data, including, but not limited to,  
 37 contractual or other legal orders, restrictions or requirements.

38 (6) "Protected data" means any data the public disclosure of which  
 39 would (A) violate federal or state laws or regulations; (B) endanger the  
 40 public health, safety or welfare; (C) hinder the operation of  
 41 government, including criminal and civil investigations; or (D) impose  
 42 an undue financial, operational or administrative burden on the  
 43 executive branch agency.

44 Sec. 2. (NEW) (*Effective from passage*) (a) The Secretary of the Office  
 45 of Policy and Management shall designate an existing employee of the

46 Office of Policy and Management to serve as Chief Data Officer, who  
47 shall report directly to the secretary. The Chief Data Officer, in  
48 consultation with the Connecticut Data Analysis Technology Advisory  
49 Board, established in section 3 of this act, and in accordance with the  
50 state data plan created pursuant to subsection (c) of this section, shall  
51 be responsible for (1) directing executive branch agencies on the use  
52 and management of data to enhance the efficiency and effectiveness of  
53 state programs and policies, (2) facilitating the sharing and use of  
54 executive branch agency data (A) between executive branch agencies,  
55 and (B) with the public, (3) coordinating data analytics and  
56 transparency master planning for executive branch agencies, and (4)  
57 formulating of the state data plan in accordance with subsection (c) of  
58 this section.

59 (b) Each executive branch agency shall designate an employee of the  
60 agency to serve as the agency data officer, who shall be responsible for  
61 implementing the provisions of this section under the supervision of  
62 the Chief Data Officer and the executive branch agency head, and who  
63 shall serve as the main contact person for inquiries, requests or  
64 concerns regarding access to the data of such agency, unless the Chief  
65 Data Officer designates another person for such task. The agency data  
66 officer, in consultation with the Chief Data Officer and the executive  
67 agency head, shall establish procedures to ensure that requests for data  
68 that the agency receives are complied with in an appropriate and  
69 prompt manner. Each agency data officer shall also advise the agency  
70 head on how data collected by the agency could be useful to the  
71 agency, recommend additional data to be collected and implement  
72 improvements in data management procedures, in accordance with the  
73 state data plan.

74 (c) Not later than December 31, 2018, and every two years  
75 thereafter, the Chief Data Officer, in consultation with the agency data  
76 officers, executive branch agency heads and Connecticut Data Analysis  
77 Technology Advisory Board, shall create a state data plan. The state  
78 data plan shall (1) establish uniform management and data analysis  
79 standards across all executive branch agencies, including particular

80 standards for individual agencies, (2) include specific, achievable goals  
81 within the two years following adoption of such plan, as well as longer  
82 term goals, (3) make recommendations to achieve more  
83 standardization and cross-compatibility of data systems and data  
84 management practices across all executive branch agencies, (4) provide  
85 a timeline for a review of any state or federal legal concerns or other  
86 obstacles to the internal sharing of data among agencies, including  
87 security and privacy concerns, (5) set goals for improving the online  
88 repository established pursuant to subsection (h) of this section, and  
89 (6) detail the agency's plan to publish, as open data, any public data  
90 that each executive branch agency has identified and any protected  
91 data that can be made public through aggregation, de-identification or  
92 other means sufficient to satisfy applicable state or federal law or  
93 regulation. Each state data plan shall provide for a procedure and  
94 timeline for each agency head, in consultation with the agency data  
95 officer, to report in writing to the Chief Data Officer regarding the  
96 agency's progress toward achieving the plan's goals. Such plan may  
97 make recommendations concerning data management for the  
98 legislative or judicial branch agencies, but such recommendations shall  
99 not be binding on such agencies.

100 (d) The Chief Data Officer shall submit a preliminary draft of such  
101 plan to the Connecticut Data Analysis Technology Advisory Board not  
102 later than November 1, 2018, and every two years thereafter. Said  
103 board shall hold a public hearing on such draft and shall submit any  
104 suggested revisions to the Chief Data Officer after such hearing.

105 (e) After the public hearing and if applicable, receiving any  
106 recommended revisions from the board, the Chief Data Officer shall  
107 finalize such plan and submit the final plan to the board for their  
108 approval. The plan shall be deemed approved if the board does not  
109 meet to approve or disapprove such plan within thirty days after  
110 receiving such plan. The board may disapprove such plan by a  
111 majority vote of the board's total membership. If the draft is  
112 disapproved, the board shall notify the Chief Data Officer and advise  
113 him or her of the reasons for such disapproval. The Chief Data Officer

114 shall revise and resubmit such plan not later than thirty days after such  
115 disapproval. If such plan is again disapproved, the process set forth in  
116 this subsection shall repeat until the plan is approved by the board.

117 (f) The Chief Data Officer shall send a copy of the approved state  
118 data plan to all agency data officers and shall post such plan on the  
119 Internet web site of the Office of Policy and Management.  
120 Notwithstanding any provision of the general statutes, such state data  
121 plan shall govern the information technology-related actions and  
122 initiatives of all executive branch state agencies, including, but not  
123 limited to, the acquisition of hardware and software and the  
124 development of software.

125 (g) On or before December 31, 2018, and not less than annually  
126 thereafter, each executive branch agency shall conduct an inventory of  
127 any high value data that is collected or possessed by the agency. Such  
128 inventory shall be in a form prescribed by the Chief Data Officer. In  
129 conducting such inventory, data shall be presumed to be public data  
130 unless otherwise classified by federal or state law or regulation. On or  
131 before December 31, 2018, and not less than annually thereafter, each  
132 executive branch agency shall submit such inventory to the Chief Data  
133 Officer and the Connecticut Data Analysis Technology Advisory  
134 Board.

135 (h) The Office of Policy and Management, in consultation with the  
136 Connecticut Data Analysis Technology Advisory Board, shall operate  
137 and maintain an online repository for the publication of open data by  
138 executive branch agencies.

139 (i) Any state agency that is not an executive branch agency and any  
140 municipality may voluntarily opt to comply with the provisions of this  
141 section and, upon submission of written notice of the agency's or  
142 municipality's decision to the Office of Policy and Management, the  
143 provisions of this section shall apply to such agency or municipality.  
144 The Office of Policy and Management shall create and maintain a list  
145 of all agencies subject to the provisions of this section, including those

146 agencies and municipalities that have voluntarily opted to comply, and  
147 shall publish such list on the office's Internet web site.

148       Sec. 3. (NEW) (*Effective from passage*) (a) There is established the  
149 Connecticut Data Analysis Technology Advisory Board, which shall be  
150 part of the Legislative Department.

151       (b) The board shall consist of the following members: (1) Two  
152 appointed by the speaker of the House of Representatives; (2) two  
153 appointed by the president pro tempore of the Senate; (3) two  
154 appointed by the minority leader of the House of Representatives; and  
155 (4) two appointed by the minority leader of the Senate. All appointed  
156 members shall have professional experience or academic qualifications  
157 in data analysis, data management, data policy or related fields and  
158 may not be a member of the General Assembly. Additional nonvoting  
159 members shall include the following officials, or their designees: the  
160 Commissioner of Administrative Services, the executive director of the  
161 Freedom of Information Commission, the Chief Court Administrator,  
162 the Attorney General, the State Librarian, the Treasurer and the  
163 Comptroller. The Chief Data Officer shall serve as the nonvoting  
164 chairperson of the board.

165       (c) All initial appointments to the board shall be made not later than  
166 July 1, 2018, and shall terminate on June 30, 2019, and June 30, 2020,  
167 regardless of when the initial appointment was made. Any member of  
168 the board may serve more than one term. The chairperson shall  
169 schedule the first meeting of the board, which shall be held not later  
170 than August 1, 2018. All nonvoting members of the board shall attend  
171 such initial meeting.

172       (d) The administrative staff of the joint standing committee of the  
173 General Assembly having cognizance of matters relating to  
174 government administration shall serve as administrative staff of the  
175 board, with assistance as needed provided by employees of the Offices  
176 of Legislative Research and Fiscal Analysis.

177       (e) Appointed members of the board shall serve for two-year terms

178 which shall commence on the date of appointment, except as provided  
179 in subsection (d) of this section, and members first appointed shall  
180 have the following terms: (1) One of the members each appointed by  
181 the speaker of the House of Representatives, the president pro tempore  
182 of the Senate, the minority leader of the Senate and the minority leader  
183 of the House of Representatives shall initially serve a term of one year,  
184 and (2) one of the members each appointed by the speaker of the  
185 House of Representatives, the president pro tempore of the Senate, the  
186 minority leader of the Senate and the minority leader of the House of  
187 Representatives shall initially serve a term of two years. Members shall  
188 continue to serve until their successors are appointed.

189 (f) Any vacancy shall be filled by the appointing authority. Any  
190 vacancy occurring other than by expiration of term shall be filled for  
191 the balance of the unexpired term.

192 (g) Five voting members of the board shall constitute a quorum for  
193 the transaction of any business. The members of the board shall serve  
194 without compensation, except the Joint Committee on Legislative  
195 Management may reimburse the members for reasonable expenses.

196 (h) The board shall have the following powers and duties: (1) To  
197 advise the Chief Data Officer, the legislative and judicial branches of  
198 government and municipalities concerning data policy, including, but  
199 not limited to, best practices in the public, private and academic  
200 sectors for data analysis, management, storage, security, privacy and  
201 visualization; (2) to issue an annual report in accordance with  
202 subsection (j) of this section; (3) upon the request of at least two  
203 members of the board, to request any agency data officer or agency  
204 head to appear before the board to answer questions; (4) to obtain from  
205 any executive department, board, commission or other agency of the  
206 state such assistance and data as necessary and available to carry out  
207 the purposes of this section; (5) to establish bylaws to govern its  
208 procedures; and (6) to perform such other acts as may be necessary  
209 and appropriate to carry out the duties described in this section.

210 (i) The Chief Data Officer and the chairperson of the Freedom of  
 211 Information Commission shall submit a summary at least twice  
 212 annually of requests for public data received and the fulfillment status  
 213 of such requests to the board, in a format prescribed by the board. The  
 214 board may, by majority vote, recommend the Chief Data Officer or  
 215 executive branch agency to reprioritize certain open data requests. By  
 216 unanimous vote of the board, the board may require the Chief Data  
 217 Officer to fulfill a data request within sixty days of such vote. The  
 218 Attorney General may overrule such vote within such sixty-day period  
 219 on the grounds that such fulfillment would violate state or federal law.

220 (j) Not later than January 1, 2019, and annually thereafter, the board  
 221 shall submit a report, in accordance with the provisions of section 11-  
 222 4a of the general statutes, to the joint standing committees of the  
 223 General Assembly having cognizance of matters relating to  
 224 government administration, appropriations and the budgets of state  
 225 agencies and the judiciary. Such report shall include the board's  
 226 recommendations for the legislative, judicial and executive branches  
 227 and the Chief Data Officer regarding data practices in all agencies, the  
 228 sharing of data and compatibility of data systems across the three  
 229 branches of government, improvements to the formatting and  
 230 accessibility of all public open datasets and any other matter the board  
 231 has recommendations concerning, including legislation necessary to  
 232 implement such recommendations.

233 (k) The board shall meet at least twice a year and may meet at such  
 234 other times as deemed necessary by the chairperson or a majority of  
 235 the members of the board.

236 Sec. 4. Section 4-68z of the general statutes is repealed and the  
 237 following is substituted in lieu thereof (*Effective July 1, 2018*):

238 The Office of Policy and Management, within available  
 239 appropriations, shall [enter into an agreement for consultant services  
 240 to apply LEAN practices and principles to the permitting and  
 241 enforcement processes of the Departments of Energy and



242 Environmental Protection, Economic and Community Development,  
 243 Administrative Services and Transportation that are most frequently  
 244 utilized by business entities. Such agreement shall also require the  
 245 consultant to apply LEAN practices and principles to the licensure  
 246 procedures for commercial bus drivers that are currently performed by  
 247 the Departments of Consumer Protection, Emergency Services and  
 248 Public Protection, and Children and Families. Such consultant shall  
 249 develop recommendations for the implementation of a prepermitting  
 250 system for commercial bus drivers that enables businesses to utilize  
 251 commercial bus drivers who await the applicable licensing authority's  
 252 performance of a criminal background check] establish and oversee a  
 253 state-wide process improvement initiative, to assist executive branch  
 254 state agencies with business process analysis for purposes of (1)  
 255 streamlining processes, (2) optimizing service delivery through  
 256 information technology, (3) eliminating unnecessary work, (4)  
 257 establishing standardized work flows, and (5) prioritizing available  
 258 resources to promote economic growth, improve services and increase  
 259 workforce productivity. On and after the date the state data plan is  
 260 adopted pursuant to section 2 of this act, such initiative shall be  
 261 implemented in accordance with such state data plan. The Secretary of  
 262 the Office of Policy and Management shall establish a steering  
 263 committee to support such initiative. The secretary, or the secretary's  
 264 designee, shall be the chairperson of such committee.

265 Sec. 5. (NEW) (*Effective from passage*) (a) As used in this section:

266 (1) "Digital parcel file" means a computer file or files containing a  
 267 graphic vector representation of the boundary information originally  
 268 depicted and maintained on a town assessor's maps, including, but not  
 269 limited to, fee ownership, public and private rights of way, and  
 270 easements, that are typically created in and maintained using a  
 271 geographic information system or computer aided design software;

272 (2) "Assessor database" means the database of property assessment  
 273 information maintained by the town assessor; it is also referred to as  
 274 the tax list, property list, Computer Aided Mass Appraisal system, or

275 Computer Aided Mass Appraisal database; and

276 (3) "Property" means a record in an assessor database.

277 (b) On or before May 1, 2019, and not less than annually thereafter,  
278 each town which possesses or contracts for services for the creation or  
279 maintenance of a digital parcel file shall transmit such file to the  
280 regional council of governments of which it is a member. If a town is  
281 not a member of a council of governments, such file shall be  
282 transmitted to the Secretary of the Office of Policy and Management.  
283 The digital parcel file shall include, but need not be limited to, (1) any  
284 information from the assessor database that (A) uniquely identifies  
285 each property in the digital parcel file, (B) identifies the size of each  
286 property, (C) identifies the address of each property, (D) identifies the  
287 value of the land, buildings and other improvements for each  
288 property, and (E) identifies the year in which buildings were  
289 constructed for each property; and (2) any other information deemed  
290 necessary by the applicable regional council of governments.

291 (c) On or before July 1, 2019, and annually thereafter, each regional  
292 council of governments shall submit a report to the Secretary of the  
293 Office of Policy and Management and, in accordance with the  
294 provisions of section 11-4a of the general statutes, to the joint standing  
295 committee of the General Assembly having cognizance of matters  
296 relating to planning and development, that lists each town that (1) has  
297 failed to provide its digital parcel file, and (2) does not possess a digital  
298 parcel file.

299 Sec. 6. Section 4-60s of the general statutes is repealed and the  
300 following is substituted in lieu thereof (*Effective July 1, 2018*):

301 (a) Each state agency of the Executive Department shall explore the  
302 feasibility of converting all applications and forms used by the public  
303 to electronic format and create an inventory of all forms used by such  
304 agency.

305 (b) Notwithstanding the provisions of chapter 54, an agency, as

306 defined in section 4-166, may suspend any requirements for paper  
 307 filing or service of documents requirements contained in any  
 308 regulation adopted by such agency pursuant to subdivision (1) of  
 309 subsection (a) of section 4-167 and may establish an electronic filing  
 310 system for formal and informal agency proceedings. Such agency,  
 311 before establishing such a system, shall give at least thirty days' notice  
 312 by posting on its Internet web site and publishing in the Connecticut  
 313 Law Journal a notice of its intended action and the instructions for the  
 314 use of such system. Any agency establishing such a system shall grant  
 315 a request from a person, as defined in section 4-166, for an exemption  
 316 from any electronic filing requirements due to a hardship  
 317 communicated in writing to the agency, including, but not limited to, a  
 318 lack of access to a device capable of electronic filing or the  
 319 incompatibility of a specific filing with the electronic filing system.

320 (c) Notwithstanding the provisions of chapter 54, an agency, as  
 321 defined in section 4-166, may suspend any requirement established in  
 322 any regulation adopted by such agency for the paper or facsimile  
 323 submission of documents or data required to be submitted to such  
 324 agency by federal or state statute, regulation, or license, as defined in  
 325 section 4-166, and require electronic filing of such documents or data  
 326 or any other information required to be submitted to such agency in  
 327 writing, in a manner prescribed by the agency. Prior to the  
 328 establishment of such electronic filing requirements, the agency shall  
 329 provide at least thirty days' notice on its Internet web site and in the  
 330 Connecticut Law Journal and include with the notice the agency's  
 331 instructions for electronic filing. Such instructions shall be maintained  
 332 on the agency's Internet web site as long as the agency requires  
 333 electronic filing of such documents and data.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2018</i>	4-68z

Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2018</i>	4-60s

***Statement of Purpose:***

To increase access to data by executive branch agencies by codifying the provisions of Executive Order 39, to create a Connecticut Board of Data Analysis Technology Advisory Board, to require the Office of Policy and Management to establish and oversee a state-wide process improvement initiative, to require towns to transmit certain property assessment information to their regional council of governments or the Office of Policy and Management and to permit state agencies to suspend regulatory requirements for paper or facsimile submission of documents or data.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*